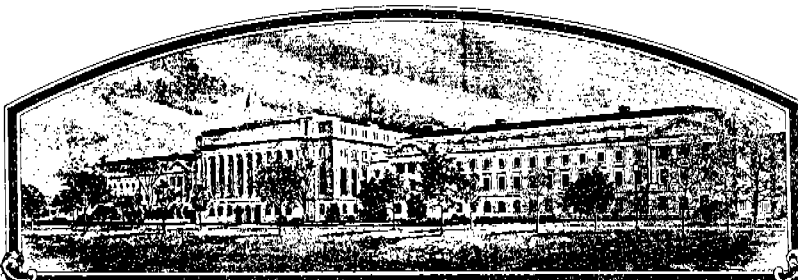


No.

7700095



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

North American Plant Breeders

Whereas, THERE HAS BEEN PRESENTED TO THE

Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED NOVEL VARIETY OF SEXUALLY REPRODUCED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF *seventeen* YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR IMPORTING IT, OR EXPORTING IT, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT. THE UNITED STATES SEED OF THIS VARIETY (1) SHALL BE SOLD BY VARIETY NAME ONLY AS A CERTIFIED SEED AND (2) SHALL CONFORM TO THE NUMBER OF GENERATIONS SPECIFIED BY THE OWNER OF THE RIGHTS. (34 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

WHEAT

'Hutch'



In Testimony Whereof, I have hereunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington this 22nd day of June in the year of our Lord one thousand nine hundred and seventy-eight

Attest:

Acting

Commissioner

Plant Variety Protection Office

Grain Division

Agricultural Marketing Service

Secretary of Agriculture

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

INSTRUCTIONS: See Reverse.

1a. TEMPORARY DESIGNATION OF VARIETY NAPB 1293-76	1b. VARIETY NAME HUTCH	FOR OFFICIAL USE ONLY PV NUMBER 7700095	
2. KIND NAME Hard Red Winter Wheat	3. GENUS AND SPECIES NAME Triticum aestivum	FILING DATE 8-15-77	TIME 9:00 A.M. P.M.
4. FAMILY NAME (BOTANICAL) Gramineae	5. DATE OF DETERMINATION August, 1976	FEE RECEIVED \$ 250.00 \$ 250.00 \$ 250.00	DATE 8-15-77 8-15-77 5-19-78
6. NAME OF APPLICANT(S) North American Plant Breeders	7. ADDRESS (Street and No. or R.F.D. No., City, State, and ZIP Code) 5201 Johnson Drive P.O. Box 2955 Mission, Kansas, 66205	8. TELEPHONE AREA CODE AND NUMBER 913-384-4940	
9. IF THE NAMED APPLICANT IS NOT A PERSON, FORM OF ORGANIZATION: (Corporation, partnership, association, etc.) Partnership		10. IF INCORPORATED, GIVE STATE AND DATE OF INCORPORATION Connecticut	11. DATE OF INCORPORATION March 9, 1973

12. Name and mailing address of applicant representative(s), if any, to serve in this application and receive all papers:

Giles E. Dixon, Research Director
North American Plant Breeders
5201 Johnson Drive
P.O. Box 2955
Mission, Kansas, 66205

13. CHECK BOX BELOW FOR EACH ATTACHMENT SUBMITTED:

- ☒ 13A. Exhibit A, Origin and Breeding History of the Variety (See Section 52 of the Plant Variety Protection Act.)
☒ 13B. Exhibit B, Novelty Statement.
☒ 13C. Exhibit C, Objective Description of the Variety (Request form from Plant Variety Protection Office.)
☒ 13D. Exhibit D, Additional Description of the Variety.

14A. Does the applicant(s) specify that seed of this variety be sold by variety name only as a class of certified seed? (See Section 83(a). (If "Yes," answer 14B and 14C below.) <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		
14B. Does the applicant(s) specify that this variety be limited as to number of generations? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	14C. If "Yes," to 14B, how many generations of production beyond breeder seed? <input checked="" type="checkbox"/> FOUNDATION <input checked="" type="checkbox"/> REGISTERED <input checked="" type="checkbox"/> CERTIFIED	
15. Does the applicant(s) agree to the publication of his/her (their) name(s) and address in the Official Journal? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		

16. The applicant(s) declare(s) that a viable sample of basic seed of this variety will be deposited upon request before issuance of a certificate and will be replenished periodically in accordance with such regulations as may be applicable.

The undersigned applicant(s) is (are) the owner(s) of this sexually reproduced novel plant variety, and believe(s) that the variety is distinct, uniform, and stable as required in Section 41, and is entitled to protection under the provisions of Section 42 of the Plant Variety Act.

Applicant(s) is (are) informed that false representation herein can jeopardize protection and result in penalties.

May 20 1977
(DATE)

G. E. Dixon
(SIGNATURE OF APPLICANT)
1

(DATE)

(SIGNATURE OF APPLICANT)

INSTRUCTIONS

GENERAL: Send an original copy of the application, exhibits and \$250.00 fee to U.S. Dept. of Agriculture, Agricultural Marketing Service, Grain Division, National Agricultural Library, Beltsville, Maryland 20705. (See Section 180.175 of the regulations and rules of practice.) Retain one copy for your files. All items on the face of the form are self-explanatory unless noted below.

ITEM

- 5 Give the date the applicant determined that he had a new variety based on (1) the definition in Section 41(a) of the Act and (2) the date a decision was made to increase the seed.
- 13a Give (1), the genealogy, including public and commercial varieties, lines, or clones used, and the breeding method. (2), the details of subsequent stages of selection and multiplication. (3), the type and frequency of variants during reproduction and multiplication and state how these variants may be identified and (4), evidence of stability.
- 13b Give a summary statement of the variety's novelty. Clearly state how this novel variety may be distinguished from all other varieties in the same crop. If the new variety most closely resembles one or a group of related varieties; (1) identify these varieties and state all differences objectively; (2) Attach statistical data for characters expressed numerically and demonstrate that these differences are significant; and (3) submit, if helpful, seed and plant specimens or photographs of seed and plant comparisons clearly indicating novelty.
- 13c Fill in the Exhibit C, Objective Description form for all characteristics, for which you have adequate data.
- 13d Describe any additional characteristics that are not described, or whose description cannot be accurately conveyed in Exhibit C. Use comparative varieties as is necessary to reveal more accurately the description of characteristics that are difficult to describe; such as; plant habit, plant color, disease resistance, etc.
- 14A If "YES" is specified (seed of this variety be sold by variety name only as a class of certified seed) the applicant may NOT reverse his affirmative decision after the variety has either been sold and so labeled or published or the certificate has been issued. However, if the applicant specifies "NO", he may change his choice. (See Section 180.15 of the Regulations and Rules of Practice.)

EXHIBIT A

Origin and Breeding History of Hutch

PEDIGREE: PCT/Y/TZP/NAR//TPR/3/C0652961/4/Baca

HISTORY: Hutch originated from a F3 bulk population purchased from Colorado State University in 1973. Single plant selections were taken in 1974 out of a space planted plot at Berthoud, Colorado. In 1975, selection number NHRW 1293-76 was put into first year yield trials. Five single plants were selected from NHRW 1293-76 and put into the purification program. NHRW 1293-76 was entered in the advanced yield trials throughout the region in 1976 and 1977.

One of the purification lines derived from a single plant selection showed all of the characteristics of NHRW 1293-76 except for height which was several inches shorter. This line was: increased and rogued closely in the greenhouse in the fall of 1975; spring planted, rogued, and increased in 1976; and entered into full scale testing in 1977. This line was tested as NHRW 1293-76E and later named "Hutch". Two hundred ninety 50-lb. units of Hutch were planted in the Fall of 1977 for registered and foundation seed increase.

During the purification of Hutch, a low incidence of variants have been rogued from the variety. The types and incidence of discards in purification plant rows were:

Acuminate beaks	approximately	10 %
Square shoulders	"	1 %
Maturity	"	.8%
Height	"	.2%
Strap head	"	.2%

According to our purification division, these variations are very low and therefore they would consider the variety quite stable.

WHEAT

CLASS: Hard Red Winter

NAME: Hutch

NOMENCLATURE: *Triticum aestivum*

CI NO:

RELEASED: August 1977

REGISTRATION NO:

SELECTION NO: NAPB 1293-76E

PEDIGREE: PCT/Y/TZ PP/Nar//TPr/3/CO 652961/4/Baca

CULTIVAR DESCRIPTION: Hutch is a hard red winter wheat that has white glumes and awns. Straw height is slightly taller than Tam W 101 and is of good strength.

ADAPTATION AND CHARACTERISTICS: Hutch is a high yielding hard red winter wheat with resistance to soil-borne mosaic virus. Hutch is of acceptable bread making quality and adapted particularly to the soil borne mosaic areas of Kansas and Oklahoma.

GENERAL INFORMATION: The pedigree from which Hutch was selected was obtained from Colorado State University as an F3 bulk. Breeding and development was done by NAPB (Larry Robertson), Berthoud, Colorado, 80513.

OTHER SOURCES OF INFORMATION: North American Plant Breeders
5201 Johnson Drive
Mission, Kansas 66205

REGISTRATION NO. 7700095VARIETY NAME 'Hutch'

Test Results Based on the American Association of Cereal
Chemists Approved Method (AACC)

1. Straight dough development time:

Farino graph 10.5

Dough-Mixer _____

2.

Baking Ingredients	Arrival time-- minutes	Peak time	Stability-- minutes	Curve center height B.U.	Height at end B.U.
Yeast	2.75	10.5	20.75	500	460
No rest					
4 hr. rest					

Wheat
3. Protein percentage 13.8%

Flour percentage 12.45%

EXHIBIT B

Data Indicative of Novelty of Hutch

Hutch is a unique variety that can be easily distinguished from all other hard red winter wheats. (See Hutch novelty comparison table.) Baca, being a parent, is similar to Hutch in many ways. The major difference between the two would be height. Under average growing conditions, Hutch is about two inches shorter than Baca. Under environmental conditions that provide maximum height at maturity, the difference between the two will increase up to as much as six to eight inches. Other differences include; Hutch's shorter glume length, acute versus acuminate beak shape, and medium size seed with a mid-deep crease versus large seed with a shallow crease.

When compared to Tam W 101, Hutch has an acute beak shape versus acuminate, a longer glume length, a lax head instead of mid-dense head, a much smaller seed with a ~~shallow~~ ^{mid-deep (2 4/17/78 as per telephone conversation)} crease, a smaller germ size, and a less erect juvenile plant growth habit. Under most growing conditions Hutch will grow slightly taller than Tam W 101.

EXHIBIT D

Additional Description of Hutch

The plants of Hutch are winter-habit, mid-early, short to semi-dwarf and white stemmed. The spikes are awned, tapering, lax and inclined at maturity. Glumes are glabrous, white and mid-wide with medium length. Shoulders are mid-wide and oblique. Beaks are mid-wide and acute.

Kernels of Hutch are red, ovate to elliptical with a mid-sized brush that is not collared. They have rounded cheeks, a mid-sized germ (7 mm length and 3.5 mm width), and the crease is mid-wide and mid-deep.

Juvenile growth habit is semi-erect with a tendency toward high tillering. Hutch exhibits an extremely lush, full growth canopy going into the jointing stage of growth. At early maturity, a goldish cast in the awns is readily seen in the field.

Performance of Hutch, 1977

NAPB Trials Yield in bu/acre

	<u>Kansas</u>		<u>Oklahoma</u>	<u>Texas</u>
	<u>Hays</u>	<u>Hutchinson</u>	<u>Nardin</u>	<u>Chillicothe</u>
Hutch	29.4	46.5	54.5	42.7
Centurk	24.9	40.1	--	--
Scout 66	25.4	--	--	--
Tam W 101	--	--	57.8	43.9
Triumph 64	--	--	52.3	38.6
Homestead	--	44.3	--	--

Test Weight

Hutch	59.0	52.4	60.4	61.2
Centurk	59.2	53.8	--	--
Scout 66	59.0	--	--	--
Tam W 101	--	--	61.3	61.8
Triumph 64	--	--	62.9	61.7
Homestead	--	55.0	--	--

HUTCH NOVELTY COMPARISON TABLE

Variety	Glume Length	Shoulder Shape	Beak Shape	Head Form	Kernal Size	Germ Size	Crease Depth	Flag Leaf	Juvenile Growth Habit	Height
Hutch	medium	oblique	acute	lax	medium	midsize	middeep	twisted	semi erect	semi-dwarf to short
Baca	long*	oblique	accuminat*	lax	large*	midsize	shallow*	N.A.	N.A.	moderately short*
Centurk	N.A.	oblique	accuminat*	dense*	small*	midsize	shallow*	N.A.	prostrate*	moderately short*
Tam W101	short-medium*	oblique	accuminat*	middense*	large*	large*	shallow*	N.A.	erect*	semi-dwarf*
Scout	long*	oblique	N.A.	dense	large*	midsize	shallow*	N.A.	N.A.	moderately short*
Satanta	medium	square to elevated*	accuminat*	middense*	N.A.	midsize	shallow*	N.A.	erect*	semi-dwarf to short
Wings	medium	rounded*	accuminat*	lax	medium	N.A.	shallow*	not twisted*	semi erect	semi-dwarf*
Sturdy	N.A.	square*	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	semi erect	semi-dwarf*
Homestead	short*	square to oblique	accuminat*	middense*	N.A.	N.A.	N.A.	not twisted*	prostrate*	moderately short*
Trison	midlong	rounded to square*	N.A.	middense*			shallow to middeep	N.A.	N.A.	moderately short*

All information based on Crop Science Society of America registration or P.V.P. application forms.

* - signifies that trait differs from Hutch.

N.A. = information not available

Wheat Application - No. 7700095 - 'Hutch'

Additional information is herewith submitted to add to the novelty statement. The novelty comparison table that we previously submitted compares 9 other varieties that we thought may cause some confusion when differentiating from Hutch. Those comparisons seemed to us to be the critical ones and failed to make the point that almost all other winter wheat varieties can be distinguished from Hutch by differences in plant height.

The following is a list of varieties that, according to our comparisons, is at least 10 cm or more, taller than Hutch: Agate, Agent, Ark, Baca, Bridger, Bronze, Buckskin, Cache, Cordon, Centurk, Cheyenne, Cloud, Commanche, Danne, Delmar, Eagle, Hand, Flex, Fox, Franklin, Froid, Gage, Gent, Hi Plains, Homestead, Itana 65, Kaw, Kirwin, Lancer, Lancota, Minter, Nicoma, Osage, Ranger, Rego, Roughrider, Sage, Scout 66, Scoutland, and Winoka.

We consider Hutch to be equal in height to: Palo Duro, Satanta, Yukon, and Pronto. Palo Duro, Yukon, and Pronto can be distinguished from Hutch by chaff color, Hutch being white and the rest bronze. Satanta can be distinguished from Hutch in beak shape (acuminate vs acute), head form (mid-dense vs lax), and crease depth (shallow vs mid-deep).

By averaging plant height data across all environments, we consider Hutch to be about 5 cm taller than Sturdy and Tam 101 and about 8 cm taller than Vona, Wings, and Lindon.

OBJECTIVE DESCRIPTION OF VARIETY
WHEAT (TRITICUM SPP.)

INSTRUCTIONS: See Reverse.

NAME OF APPLICANT(S)

North American Plant Breeders

ADDRESS (Street and No. or R.F.D. No., City, State, and ZIP Code)

P.O. Box 2955
Mission, Kansas 62205

FOR OFFICIAL USE ONLY

PVPO NUMBER

7700095

VARIETY NAME OR TEMPORARY
DESIGNATION

Hutch

Place the appropriate number that describes the varietal character of this variety in the boxes below.

Place a zero in first box (e.g., or) when number is either 99 or less or 9 or less.

1. KIND:

 1 = COMMON 2 = DURUM 3 = EMMER 4 = SPELT 5 = POLISH 6 = POULARD 7 = CLUB

2. TYPE:

 1 = SPRING 2 = WINTER 3 = OTHER (Specify) _____ 1 = SOFT 3 = OTHER (Specify) _____
2 = HARD 1 = WHITE 2 = RED 3 = OTHER (Specify) _____3. SEASON - NUMBER OF DAYS FROM ~~EMERGENCE~~ January 1: FIRST FLOWERING LAST FLOWERING

4. MATURITY (50% Flowering):

 NO. OF DAYS EARLIER THAN 1 = ARTHUR 2 = SCOUT 3 = CHRIS
 NO. OF DAYS LATER THAN 4 = LEMHI 5 = NUGAINES 6 = LEEDS

5. PLANT HEIGHT (From soil level to top of head):

 CM. HIGH
 CM. TALLER THAN 1 = ARTHUR 2 = SCOUT 3 = CHRIS
 CM. SHORTER THAN 4 = LEMHI 5 = NUGAINES 6 = LEEDS

6. PLANT COLOR AT BOOTING (See reverse):

 1 = YELLOW GREEN 2 = GREEN 3 = BLUE GREEN

7. ANTHUR COLOR:

 1 = YELLOW 2 = PURPLE

8. STEM:

 Anthocyanin: 1 = ABSENT 2 = PRESENT Waxy bloom: 1 = ABSENT 2 = PRESENT
 Hairiness of last internode of rachis: 1 = ABSENT 2 = PRESENT Internodes: 1 = HOLLOW 2 = SOLID
 NO. OF NODES (Originating from node above ground) CM. INTERNODE LENGTH BETWEEN FLAG LEAF AND LEAF BELOW

9. AURICLES:

 Anthocyanin: 1 = ABSENT 2 = PRESENT Hairiness: 1 = ABSENT 2 = PRESENT

10. LEAF:

 Flag leaf at booting stage: 1 = ERECT 2 = RECURVED Flag leaf: 1 = NOT TWISTED 2 = TWISTED
3 = OTHER (Specify) _____
 Hairs of first leaf sheath: 1 = ABSENT 2 = PRESENT Waxy bloom of flag leaf sheath: 1 = ABSENT 2 = PRESENT
 MM. LEAF WIDTH (First leaf below flag leaf) CM. LEAF LENGTH (First leaf below flag leaf)

11. HEAD:

Density: 1 = LAX 2 = DENSE

Shape: 1 = TAPERING 2 = STRAP 3 = CLAVATE
4 = OTHER (Specify) _____

Awnedness: 1 = AWNLESS 2 = APICALLY AWNLETED 3 = AWNLETED 4 = AWNED

Color at maturity: 1 = WHITE 2 = YELLOW 3 = PINK 4 = RED
5 = BROWN 6 = BLACK 7 = OTHER (Specify): _____

CM. LENGTH

MM. WIDTH

12. GLUMES AT MATURITY:

Length: 1 = SHORT (CA. 7 mm.) 2 = MEDIUM (CA. 8 mm.)
3 = LONG (CA. 9 mm.)

Width: 1 = NARROW (CA. 3 mm.) 2 = MEDIUM (CA. 3.5 mm.)
3 = WIDE (CA. 4 mm.)

Shoulder shape: 1 = WANTING 2 = OBLIQUE 3 = ROUNDED
4 = SQUARE 5 = ELEVATED 6 = APICULATE

Beak: 1 = OBTUSE 2 = ACUTE 3 = ACUMINATE

13. COLEOPTILE COLOR:

1 = WHITE 2 = RED 3 = PURPLE

14. SEEDLING ANTHOCYANIN:

1 = ABSENT 2 = PRESENT

15. JUVENILE PLANT GROWTH HABIT:

1 = PROSTRATE 2 = SEMI-ERECT 3 = ERECT

16. SEED:

Shape: 1 = OVATE 2 = OVAL 3 = ELLIPTICAL

Check: 1 = ROUNDED 2 = ANGULAR

Brush: 1 = SHORT 2 = MEDIUM 3 = LONG

Brush: 1 = NOT COLLARED 2 = COLLARED

Phenol reaction (See instructions): 1 = IVORY 2 = FAWN 3 = LT. BROWN
4 = BROWN 5 = BLACK

Color: 1 = WHITE 2 = AMBER 3 = RED 4 = PURPLE 5 = OTHER (Specify) _____

MM. LENGTH

MM. WIDTH

GM. PER 1000 SEEDS

17. SEED CREASE:

Width: 1 = 60% OR LESS OF KERNEL 'WINOKA'
2 = 80% OR LESS OF KERNEL 'CHRIS'
3 = NEARLY AS WIDE AS KERNEL 'LEMHI'

Depth: 1 = 20% OR LESS OF KERNEL 'SCOUT'
2 = 35% OR LESS OF KERNEL 'CHRIS'
3 = 50% OR LESS OF KERNEL 'LEMHI'

18. DISEASE: (0 = Not Tested, 1 = Susceptible, 2 = Resistant)

STEM RUST (Races) _____

LEAF RUST (Races) _____

STRIPE RUST (Races) _____

LOOSE SMUT

POWDERY MILDEW

BUNT

OTHER (Specify) Soil Borne Mosaic

19. INSECT: (0 = Not Tested, 1 = Susceptible, 2 = Resistant)

SAWFLY

APHID (Bydv.)

GREEN BUG

CEREAL LEAF BEETLE

OTHER (Specify) _____

HESSIAN FLY
RACES:

GP

A

B

C

D

E

F

G

20. INDICATE WHICH VARIETY MOST CLOSELY RESEMBLES THAT SUBMITTED:

CHARACTER	NAME OF VARIETY	CHARACTER	NAME OF VARIETY
Plant tillering	Newton	Seed size	Centurk
Leaf size	Baca	Seed shape	Centurk
Leaf color	Baca	Coleoptile elongation	
Leaf carriage		Seedling pigmentation	

INSTRUCTIONS

GENERAL: The following publications may be used as a reference aid for the standardization of terms and procedures for completing this form:

(a) L.W. Briggles and L. P. Reitz, 1963, Classification of Triticum Species and Wheat Varieties Grown in the United States, Technical Bulletin 1278, United States Department of Agriculture.

(b) W.E. Walls, 1965, A Standardized Phenol Method for Testing Wheat Seeds for Varietal Purity, contribution No. 28 to the handbook of seed testing prepared by the Association of Official Seed Analysts. (See attachment.)

LEAF COLOR: Nickerson's or any recognized color fan should be used to determine the leaf color of the described variety.

BILL OF SALE AND ASSIGNMENT

KNOW ALL MEN BY THESE PRESENTS that AGRIPRO BIOSCIENCES INC., a Delaware corporation (hereinafter referred to as "Seller"), pursuant to that certain Asset Purchase Agreement of even date herewith by and between Seller and AGR ACQUISITION CORPORATION, a Delaware corporation (hereinafter referred to as "Buyer") and for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby grant, bargain, sell, assign, convey and deliver unto Buyer, all of Seller's right, title and interest in and to the plant varieties owned/registered by Seller and more particularly set forth on Exhibit A attached hereto for which PVP Certificates have been issued by or may be pending before the U. S. Department of Agriculture.

TO HAVE AND TO HOLD UNTO PURCHASER, its successors and assigns forever.

IN WITNESS WHEREOF, Seller has executed this Bill of Sale and Assignment as of the 30th day of June, 1994.

AGRIPRO BIOSCIENCES INC.

BY: W.A. Zama
Title: President

STATE OF KANSAS, COUNTY OF JOHNSON

Before me, the undersigned, a Notary Public of the State and County aforesaid, personally appeared W.A. ZAMA with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence) and who, upon oath, acknowledged himself to be the PRESIDENT of Agripro Biosciences Inc., the within named bargainer, a corporation, and that he as such PRESIDENT, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by himself as PRESIDENT.

WITNESS my hand and Notarial Seal at office the day and year above written.

Alma M. Weaver
Notary Public

My Commission Expires:

June 22, 1998

ALMA M. WEAVER

NOTARY PUBLIC

STATE OF KANSAS

My Appl. Exp.

June 22, 1998

Office of the Secretary of State

I, EDWARD J. FREEL, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF AMENDMENT OF "AGR ACQUISITION CORPORATION", CHANGING ITS NAME FROM "AGR ACQUISITION CORPORATION" TO "AGRIPRO SEEDS, INC.", FILED IN THIS OFFICE ON THE THIRTIETH DAY OF JUNE, A.D. 1994, AT 4:30 O'CLOCK P.M.

A CERTIFIED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS FOR RECORDING.



Edward J. Freel

SECRETARY OF STATE
AUTHENTICATION:

7169071

DATE:

07-01-94

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ABI SHAWNEE MSN

002/002

CERTIFICATE OF AMENDMENT
OF
CERTIFICATE OF INCORPORATION
OF
AGR ACQUISITION CORPORATION

AGR Acquisition Corporation, a corporation organized and existing under and by virtue of the General Corporation Law of the State of Delaware,

DOES HEREBY CERTIFY:

FIRST: that the Board of Directors of said corporation, by the unanimous written consent of its members filed with the minutes of the Board, adopted a resolution proposing and declaring advisable the following amendment to the Certificate of Incorporation of said corporation:

RESOLVED, that the Certificate of Incorporation of this corporation be amended by changing the Article thereof numbered "ARTICLE I" so that, as amended, said Article shall be and read as follows:

"ARTICLE I

Name

The name of the corporation (hereinafter called the 'Corporation') is Agripro Seeds, Inc."

SECOND: That in lieu of a meeting and vote of stockholders, the sole shareholder of the corporation has given unanimous written consent to said amendment in accordance with the provisions of Section 228 of the General Corporation Law of the State of Delaware.

THIRD: That the aforesaid amendment was duly adopted in accordance with the applicable provisions of Sections 242 and 228 of the General Corporation Law of the State of Delaware.

FOURTH: That the capital of said corporation shall not be reduced under or by reason of said amendment.

IN WITNESS WHEREOF, said AGR Acquisition Corporation has caused this certificate to be signed by Gary T. Hancock, its President, and attested by Ann Steelman, its Secretary, this 30th day of June, 1994.

AGR ACQUISITION CORPORATION

BY: Gary T. Hancock
Gary T. Hancock, President

ATTEST:

BY: Ann Steelman
Ann Steelman, Secretary